

Appl. No. 10/605,950
Amdt. dated May 12, 2006
Reply to Office action of March 29, 2006

REMARKS/ARGUMENTS

1. Rejection of claims 1-10, 21, 24-28, and 30 under 35 U.S.C. 102(e):

Claims 1-10, 21, 24-28, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al. (US 2002/0118949, Jones hereinafter).

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Response:

Claim 1 has been amended to overcome this rejection. The applicant would like to point out how currently amended claim 1 and original claim 25 are patentably distinct from Jones.

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Claims 1 and 25 each specify that the digital apparatus captures a file, establishes a folder corresponding to a file type of the file, and stores the file in the established folder. In short, the claimed digital apparatus stores the captured files in different folders as the files are captured.

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On the other hand, Jones does not teach a digital apparatus that captures files, establishes folders corresponding to the captured files, and stores the captured files in the established folders. Instead, Jones teaches in lines 1-8 of paragraph 0024 that the digital processor 117 takes input created from a variety of content sources and stores the content on a CD. Although the digital processor 117 puts files into sub-directories on the CD, the digital processor 117 does not capture the files. Instead, the files are captured by other devices such as a still image source 101, a video source 105, and an audio source 109, as shown in figure 1A. Therefore, Jones does not teach a digital apparatus that stores files in different folders as the files are captured. For these reasons, claims 1 and 25 are patentable over Jones. Furthermore, neither of the other cited prior art references Perkes (2003/0110503) and Huang (2004/0098379) teaches a digital apparatus as claimed. Claims 2-15, 17-24, and 26-32 are dependent on independent claims 1 and 25, and should be allowed if

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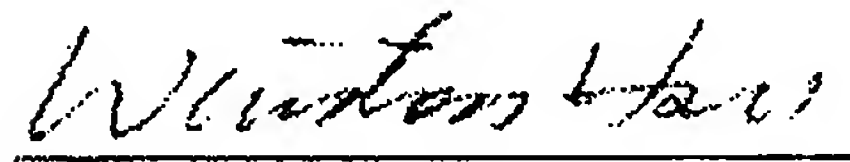
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claims 1 and 25 are allowed. Reconsideration of claims 1-15 and 17-32 is respectfully requested.

5 Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Sincerely yours,



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